

fiscal year, together with such comments and recommendations as the Secretary considers appropriate.

"(0") LIMITATION ON PAYMENTS FOR FISCAL YEAR 1990.—(1) The total amount of payments made under this section to officers of the Air Force during fiscal year 1990 may not exceed \$78,000,000.

"(2) The total amount of payments made under this section to officers of the Navy during fiscal year 1990 may not exceed \$30,000,000.

"(k) DEFINITIONS.—In this section:

"(1) The term 'aviation service' means the service performed by an officer holding an aeronautical rating or designation (except a flight surgeon or other medical officer).

"(2) The term 'aviation specialty' means a community of pilots identified by type of aircraft or weapon system or a community of other designated aeronautical officers so identified.

"(3) The term 'critical aviation specialty' means an aviation specialty in which there exists a shortage of officers on the date of designation under subsection (b).

"(4) The term 'operational flying duty' has the meaning given such term in section 301a(a)(6)(A) of this title."

(b) CONFORMING AMENDMENT.—Section 611 of the National Defense Authorization Act, Fiscal Year 1989 (Public Law 100-456; 102 Stat. 1977), is amended by striking out subsection (e). 37 USC 301b

(c) AGREEMENTS ENTERED INTO UNDER THE FORMER LAW.—(1) The

amendment made by subsection (a) shall not affect an agreement entered into under section 301b of title 37, United States Code (as in effect on September 30, 1989), and, except as provided in paragraph

(2), the provisions of such section as in effect on such day shall continue to apply with respect to such agreement.

(2) For pay periods beginning after September 30, 1989, an officer serving under an agreement entered into under section 301b of such title before October 1, 1987, shall be entitled during the remainder of the agreement to the monthly rate of aviation career incentive pay specified in section 301a(b) of such title and corresponding to the officer's years of aviation service or years of service as an officer.

(d) COVERAGE OF PERIOD OF LAPSED AUTHORITY.—(1) In the case of 37 USC 301b an aviation officer described in paragraph (2) who executes an agreement under section 301b of title 37, United States Code, during the 90-day period beginning on the date of the

enactment of this Act.
the Secretary concerned may deem such agreement
to have been
executed and accepted for purposes of such section
on the first date
on which the officer would have qualified for such an
agreement had
the amendment made by subsection (a) taken effect
on October 1,
1989.

(2) An aviation officer referred to in paragraph (1) is an officer
who, during the period beginning on October 1, 1989, and ending
on
the date of the enactment of this Act, would have qualified for
an
agreement under such section had the amendment made by
subsec-
tion (a) taken effect on October 1, 1989.

(3) For purposes of this subsection, the term "Secretary con-
cerned" has the meaning given that term by section 101(5) of
title
37, United States Code.

SEC. 633. REDUCTION IN NONOPERATIONAL FLYING DUTY POSITIONS

(a) REDUCTIONS REQUIRED.—(1) Not later than
September 30, 1991,
the Secretary of Defense shall reduce the number of
nonoperational